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ELIMINATION OF RACIAL DISCRIMINATION

ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO THE RACIST AND COLONIALIST REGIME OF SOUTH AFRICA

Working paper submitted by Ms. Judith Sefi Attah

The attention of the Sub-Commission is drawn to the attached Abuja statement on Southern Africa issued by the Ad Hoc Committee on Southern Africa of the Organization of African Unity, which met at Abuja, Nigeria on 29 July 1991.

GE. 91-12748

TEXT OF "ABUJA STATEMENT ON SOUTHERN AFRICA"
BY OAU HEADS OF STATE AD HOC COMMITTEE
SOUTHERN AFRICA

1. Pursuant to the Abuja declaration on South Africa adopted by the twenty-seventh assembly of Heads of State and Government of the OAU, on 5 June, 1991, the OAU Ad-Hoc Committee on Southern Africa met in Abuja on 29 July, 1991 to review recent developments in South Africa.

2. Since the Abuja Summit, significant developments have taken place. The pillars of Apartheid legislation such as the Group areas act, the population registration act and the land acts, have been repealed. However, the painful legacies of these acts remain.

3. The Committee welcomes the repeal of these laws but notes that the fundamental basis of Apartheid - the undemocratic constitution-remains in place. The fundamental question of negotiations and modalities for a non-racial and democratic constitution, have not yet been addressed. The internal security act and a host of other laws continue to proscribe freedom, political activity and still reinforce the apartheid system. Many political prisoners remain incarcerated and not-all exiles have been allowed to return.

4. The committee underscores the fact that central to the struggle for the eradication of apartheid is the transfer of power to a democratic government elected on the basis of a non-racial and democratic constitution. It reasserts, that and drawing up and adoption of this constitution is now the most urgent and pressing question. To this end,

it calls upon the national liberation movement and all the anti-apartheid forces to work in-concert within the framework of a patriotic front.

5. The committee, therefore, calls on the international community to exert all forms of pressure on the South African Government to adopt a democratic mechanism of an elected constituent assembly and the formation of an interim administration, which together, will ensure the drawing up of a democratic non-racial constitution guaranteeing universal suffrage.

6. In this connection, the committee regrets the action taken by certain countries to lift sanctions unilaterally and prematurely while the process for the eradication of apartheid is not yet irreversible. This action can only serve the purpose of removing the incentive for negotiations, embolden the die-hard elements in the apartheid system and ultimately undermine the process of change now budding in South Africa. This unfortunate, unilateral and premature action is not only contrary to the Harare Declaration, it also violates the 1989 UN consensus Declaration on Apartheid and its destructive consequences in Southern Africa.

7. The Committee notes that sanctions have been a potent weapon and an integral part of the strategy in the struggle against apartheid. They have, to a large extent, been instrumental in raising the cost of apartheid and compelling the regime to accept the principle of negotiations. As a powerful form of pressure, sanctions continue to be needed to bring the apartheid regime to the negotiating table and

to keep it committed to the process of change. The committee therefore, commends those countries which have not yet lifted sanctions, and calls on them to maintain sanctions as a form of pressure to ensure constitutional change. It also urges those who have lifted some sanctions to maintain the remaining sanctions and to use their leverage on the South African regime to accelerate the process of constitutional change.

8. The Committee notes that the revelation of the Southern African Government's collusion with, and funding of, the Inkatha confirms what the OAU and the oppressed people of South Africa have consistently stated as the South African Government's sponsorship of the violence in the townships and destabilization of the Liberation movements. This revelation, while increasing the credibility of the liberation movements, has seriously eroded the confidence in the goodwill and intention of the apartheid regime and has cast serious doubts on its honesty and its commitment to change. The revelations of duplicity and bad faith on the part of the De Klerk Government should rekindle the resolve of the international community to exert maximum pressure on the regime to expedite the process of change.

9. The Inkatha scandal and the acknowledgement by the apartheid regime of the existence of slush-funds, and use thereof, have created a crisis of confidence which is seriously threatening the process of change in South Africa. The onus, now rests squarely on Mr. De Klerk to demonstrate good faith and move swiftly to rebuild confidence and promptly begin the process of negotiations towards a new constitution

which would lead to the establishment of a democratic, non-racial government in South Africa within a time frame to be agreed by all the parties concerned.

10. The Committee resolves to intensify diplomatic and other international actions on behalf of the OAU, to mobilize support in other to exert maximum pressure on the apartheid regim to create the conditions conducive to negotiations, commence the process of negotiations and to proceed with the promulgation of a new constitution. The fundamental rights of all South Africans, including the right to vote, should be fully guaranteed by that constitution.

11. The Ad-Hoc Committee decides therefore to undertake diplomatic action through the current Chairman of the OAU to mobilize support. The Committee has also decided to despatch as appropriate Ministerial delegations to certain capitals in order to further this objective.